

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CITY OF MANNING, IOWA, MUNICIPAL COMMUNICATION AND TELEVISION SYSTEM UTILITY	DOCKET NO. TCU-99-8
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ORDER GRANTING APPLICATION

(Issued June 22 , 1999)

On March 25, 1999, the City of Manning, Iowa, Municipal Communication and Television System Utility (Manning) filed an application for issuance of a certificate of public convenience and necessity, pursuant to IOWA CODE § 476.29 (1999). Manning is the provider of cable television in Manning, Iowa. Manning intends to provide resold local exchange service in the Manning exchange currently served by GTE Midwest Incorporated (GTE). Manning stated it concurs with and agrees to serve all the customers in the GTE exchange map currently on file with the Utilities Board (Board). Additionally, Manning agrees to employ 2-PIC methodology for dialing parity. No objections were filed.

IOWA CODE § 476.29(13) states, in part, "Notwithstanding other provisions of this section, approval by the voters of a city pursuant to section 388.2 of a proposal to establish or acquire a public utility is conclusive evidence of the fact that the city has the technical, financial, and managerial ability to provide such service." On September 24, 1996, the citizens of Manning voted to establish a communications and cable television utility.

Pursuant to IOWA CODE § 476.29(13), the results of the election establish that Manning has the requisite technical, financial, and managerial ability. Manning also stated the application is in the public interest because it will expand customer choice, provide superior service through local technicians, and foster the potential for desirable economic benefits. The application will be granted.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by the City of Manning, Iowa, Municipal Communication and Television System Utility, on March 25, 1999, is granted, subject to the requirements that follow.

2. At the time Manning files tariffs with the Board, it must give notice to all affected local exchange carriers. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service in Iowa offered by Manning, the Board will issue a certificate of public convenience and necessity allowing Manning to provide local exchange service in Iowa.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr. /s/ Diane Munns
Executive Secretary

Dated at Des Moines, Iowa, this 22nd day of June, 1999.